

NO. 26565

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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CITIMORTGAGE, INC., a Delaware corporation,  
Plaintiff-Appellee

vs.

NOEL PAJO MANUEL and ROSEBELLA INES MANUEL,  
Defendants-Appellants

and

AMERICAN GENERAL FINANCE OF HAWAII, INC., DEPARTMENT OF TAXATION,  
STATE OF HAWAI'I, VILLAGE PARK ASSOCIATION, ANGELITA IBARRA INES,  
Defendants-Appellees

and

JOHN and MARY DOES 1-20, DOE PARTNERSHIPS,  
CORPORATIONS or OTHER ENTITIES 1-20, Defendants

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 01-1-2044)

ORDER

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of Defendants-Appellants Noel Pajo Manuel and Rosebella Ines Manuel's motion to dismiss the appeal with the parties to bear their own appellate fees and costs, the papers in support, and the records and files herein, it appears:

- (1) Appellants filed their notice of appeal on May 7, 2004; and
- (2) the parties have reached a settlement that includes dismissal of the appeal with the parties to bear their own appellate fees and costs. Therefore,

IT IS HEREBY ORDERED that Defendants-Appellants' motion to dismiss the appeal is granted, and this appeal is dismissed

pursuant to HRAP Rule 42(b). The parties shall bear their own appellate fees and costs.

DATED: Honolulu, Hawai'i, October 18, 2004.

William J. Nagle, III  
for defendants-appellants  
on the motion